

Helping Consumers Who are Victims of Domestic Abuse Access Advance Premium Tax Credits and Cost-Sharing Reductions for Marketplace Coverage—Special Enrollment Period

As an assister, you may be in a position to help a victim of domestic abuse enroll in a Marketplace health plan and obtain advance premium tax credits (APTCs) and cost-sharing reductions (CSRs), if eligible. In some situations, a consumer may tell you that they are a victim of domestic abuse and that they assumed or were informed that advance payments of the premium tax credit (APTC) were unavailable to them because they are married and not filing a joint tax return with their spouse. This may occur with consumers who may or may not have attempted to apply.

Usually, a consumer who is legally married is generally required to file a joint income tax return with their spouse to claim the premium tax credit, including any APTC. However, for victims of domestic abuse, getting in contact with a spouse for purposes of filing a joint return may be traumatic, dangerous, or prohibited by a restraining order.

New Guidance: To address these unique circumstances, based on recent guidance from the Department of the Treasury, **a consumer who is married but living apart from his or her spouse and is unable to file a joint income tax return because they are a victim of domestic abuse, can obtain APTC and CSRs -- as long as they are otherwise eligible. Due to system limitations, consumers in this unique circumstance must indicate on their Federally-facilitated Marketplace application that they are not married.** They will not face any penalty for representing that they are not married on the application.

In addition, CMS has established a limited special enrollment period (SEP) for these consumers. Although open enrollment for 2014 Marketplace coverage ended on March 31, 2014, a consumer who is eligible for an SEP will be able to enroll in Marketplace coverage outside of the open enrollment period. **In order to ensure that eligible consumers who are victims of domestic abuse can enroll in a qualified health plan through the Marketplace with advance payments of the premium tax credit, this SEP will be available for these consumers through June 1.** This means that all plan selections made using this special provision will need to be made by June 1.

To learn more about Special Enrollment Periods generally, visit www.healthcare.gov/how-can-i-get-coverage-outside-of-open-enrollment.



Health Insurance Marketplace

If you are assisting a consumer who is living apart from his or her spouse and is unable to file a joint income tax return because they are a victim of domestic abuse, the following tips can help them get health insurance coverage and financial assistance.

Process for enrollment:

1. During the open enrollment period:

- A consumer who meets the criteria above can log on to HealthCare.gov or call the Marketplace Call Center at 1-800-318-2596 (TTY: 1-855-889-4325),
- Start a new application, and
- The consumer **must indicate that they are not married on the application.** This will allow the consumer to obtain an eligibility determination that can potentially find them eligible for APTC and cost-sharing reductions if they meet all other eligibility criteria for APTC. The consumer will not face any penalty for representing that they are not married on the application.
- The consumer will complete the plan selection process over the phone, or return to HealthCare.gov to select a plan online.
- The consumer who uses this process to enroll in coverage outside of the open enrollment period **must select a plan by June 1.**

2. After the open enrollment period:

- If a consumer does not qualify for another special enrollment period, a consumer who meets the criteria above can follow the same process that can be used during the open enrollment period to begin an application.
- If the consumer is found eligible for enrollment in a plan, the consumer will be unable to select a plan in the system because the open enrollment period has closed.
- The consumer will need to call the Marketplace Call Center to activate the SEP by explaining that he or she meets the criteria above and is ready to select a plan. Call the Marketplace Call Center at 1-800-318-2596 (TTY: 1-855-889-4325).
- The consumer can then complete the plan selection process over the phone, or return to HealthCare.gov to select a plan online.
- The consumer who uses this process to enroll in coverage outside of the open enrollment period **must select a plan by June 1.**

3. Once enrolled: The consumer should receive information from the issuer once they are enrolled.